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**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods****Joint Meeting of the RID Committee of Experts and the  
Working Party on the Transport of Dangerous Goods**

Geneva, 12–16 September 2022

Item 5(b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:  
new proposals****Direct delivery of dangerous goods to end customers (overpacks)****Submitted by the Council on Safe Transportation of Hazardous Articles  
(COSTHA)\*. \*\****Summary*

**Executive summary:** The amount of dangerous goods transported directly to end consumers has increased in volume in recent years. However, the RID/ADR/ADN, as written, predominantly covers transportation between businesses, whether those businesses are manufacturers, shippers, retail locations or distribution sites.

The direct delivery to an end consumer has historically been handled by parcel delivery companies, the postal services and the consumer themselves. To that end, the regulations have exceptions intended to limit the transport requirements for some of these types of shipments.

**Action to be taken:** Amend the “overpack” requirements in RID/ADR/ADN.

**Related documents:** Informal document INF.31 (COSTHA) of the spring 2022 session  
Document ST/SG/AC.10/C.3/2022/27

1. At the March 2022 session of the Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods (WP.15/AC.1), COSTHA presented informal document INF.31 for discussion purposes and to gather input for a future proposal. Even though document was a late submittal, many delegations were able to provide initial comments on the subject for which COSTHA was grateful.

2. COSTHA would like once again to bring the attention of the Joint Meeting to the differences in the definition of “overpack” between the UN Model Regulations and

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\* A/76/6 (Sect.20), para. 20.76.

\*\* Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2022/28.

RID/ADR/ADN. This difference in definitions has impacts regionally and beyond countries that utilize the annexes of RID/ADR/ADN for ground regulations.

3. COSTHA believes some minimum requirements such as for “suitable outer packagings” and markings that may need to be clarified. For example, when dangerous goods packed as limited quantities are consolidated within an overpack, the regulations require the overpack to be marked according to 3.4.11 of RID/ADR/ADN (LQ mark and “Overpack”). However, direct to consumer companies (parcel delivery and postal services) have the established practice of using a handling device (bag) during delivery operations. While the bags increase the overall safety of these parcels in transport by providing yet another level of containment and protection, they are used mostly to facilitate the carriage of multiple parcels by organizing them in the delivery truck, but also to ease the burden of steering a bike while handling additional packages. These bags are then unloaded at different stops along a delivery route. Similar bags are utilized in other operations such as delivery by bike and hand delivery. Postal services and other delivery operations involving the hand carriage of parcels will often utilize bags, and it has been brought to our attention that these bags are considered as overpacks by some competent authorities.

## Definition of overpack

4. In the UN Model Regulations, an overpack *means an enclosure used by a single consignor to contain one or more packages and to form one unit for convenience. Examples of overpacks are a number of packages either:*

- (1) *Placed or stacked onto a load board such as a pallet and secured by strapping, shrink wrapping, stretch wrapping, or other suitable means; or*
- (2) *Placed in a protective outer packaging such as a box or crate.*

5. In RID/ADR/ADN, an overpack *means an enclosure used (by a single consignor in the case of radioactive material) to contain one or more packages, consolidated into a single unit easier to handle and stow during carriage. Examples of overpacks:*

- (a) *A loading tray such as a pallet, on which several packages are placed and stacked and secured by a plastics strip, shrink or stretch wrapping or other appropriate means; or*
- (b) *An outer protective packaging such as a box or a crate.*

6. In the International Civil Aviation Organization (ICAO) Technical Instructions, the International Maritime Dangerous Goods (IMDG Code), the United States Department of Transportation’s Hazardous Material Regulations (US DOT 49 CFR) and in Transport Canada’s Transportation of Dangerous Goods Regulations, the definition of an overpack is the same as in the UN Model Regulations.

7. It is COSTHA’s opinion that the requirements of RID/ADR/ADN are not harmonized on the matter and, therefore, COSTHA proposes the amendments below to the regulations to help alleviate those impacts and facilitate the transportation of such packages of dangerous goods in limited quantities.

8. This document is being submitted to the Joint Meeting as a placeholder while document ST/SG/AC.10/C.3/2022/27 is presented/discussed at the sixtieth session of the UN Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCETDG). Please note that the below proposals are independent and may be further amended after the discussions at the UNSCETDG.

## Proposals

### Option 1

9. In 1.2.1 of RID/ADR/ADN amend the definition of overpack to harmonize with the one found in the UN Model Regulations (see paragraph 3 above).

“Overpack means an enclosure used ~~(by a single consignor in the case of radioactive material)~~ to contain one or more packages, consolidated into a single unit easier to handle and stow during carriage. Examples of overpacks:

- (a) A loading tray such as a pallet, on which several packages are placed and stacked and secured by a plastics strip, shrink or stretch wrapping or other appropriate means; or
- (b) An outer protective packaging such as a box or a crate.”

## Option 2

10. Amend 3.4.11 of RID/ADR/ADN as follows (new text is underlined, deleted text is stricken through):

### “3.4.11 Use of overpacks

For an overpack containing dangerous goods packed in limited quantities, the following applies:

Unless the marks representative of all dangerous goods in an overpack are visible, the overpack shall be:

- marked with the word “OVERPACK”. The lettering of the “OVERPACK” mark shall be at least 12 mm high. The mark shall be in an official language of the country of origin and also, if that language is not English, French or German, in English, French or German, unless agreements, if any, concluded between the countries concerned in the transport operation provide otherwise; and
- marked with the marks required by this Chapter.

Except for air transport, the other provisions of 5.1.2.1 apply only if other dangerous goods which are not packed in limited quantities are contained in the overpack and only in relation to these other dangerous goods.

For inland transport only, if the carrier prepares the overpack, these marking requirements do not apply if the overpack contains not more than [XX] packages of dangerous goods packed in limited quantities.”

11. Amend 3.5.4.3 of RID/ADR/ADN as follows (new text is underlined):

### “3.5.4.3 Use of overpacks

For an overpack containing dangerous goods packed in excepted quantities, the following applies:

Unless the marks representative of all dangerous goods in an overpack are visible, the overpack shall be:

- marked with the word “OVERPACK”. The lettering of the “OVERPACK” mark shall be at least 12 mm high. The mark shall be in an official language of the country of origin and also, if that language is not English, French or German, in English, French or German, unless agreements, if any, concluded between the countries concerned in the transport operation provide otherwise; and
- marked with the marks required by this Chapter.

The other provisions of 5.1.2.1 apply only if other dangerous goods which are not packed in excepted quantities are contained in the overpack and only in relation to these other dangerous goods.

For inland transport only, if the carrier prepares the overpack, these marking requirements do not apply if the overpack contains not more than [XX] packages of dangerous goods packed in excepted quantities.”

Amend special provision 188, paragraph (f) of RID/ADR/ADN as follows:

“188

Cells and batteries offered for carriage are not subject to other provisions of ADR if they meet the following:

(a) to (e) ...

(f) Each package shall be marked with the appropriate lithium battery mark, as illustrated in 5.2.1.9;

This requirement does not apply to:

- (i) Packages containing only button cell batteries installed in equipment (including circuit boards); and
- (ii) Packages containing no more than four cells or two batteries installed in equipment, where there are not more than two packages in the consignment.

When packages are placed in an overpack, the lithium battery mark shall either be clearly visible or be reproduced on the outside of the overpack and the overpack shall be marked with the word "OVERPACK". The lettering of the "OVERPACK" mark shall be at least 12 mm high.

For inland transport only, if the carrier prepares the overpack, these marking requirements do not apply if the overpack contains not more than [XX] packages of dangerous goods packed in accordance with this special provision.”

## Justification

12. Within the ADR, these bags could be interpreted as meeting the definition of “overpack” (“an enclosure to contain one or more packages”). However, throughout the delivery route, the contents of these bags are constantly changing as the driver delivers individual parcels. Since these bags contain both marked and unmarked dangerous goods, a driver/delivery person will not know at any given time when the final marked dangerous goods package is removed from the bag. According to the requirements, once the last package containing dangerous goods is removed from the bag, the marking required for an overpack must be removed from the exterior of the bag, since it is no longer applicable or appropriate. Not removing this marking would communicate a hazard that does not exist and violate the regulations. Complying, and removing the marks, places a burden on a driver/delivery person whose primary duty is the safe navigation and delivery of the packages. COSTHA is the opinion that amending the regulations as proposed could ease that burden without adding undue risks.

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